

09/21/98  
3550 U.S. PTO

Box 550 A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**Patent Examining Operations**

jc526 U.S. PTO  
09/15/120  
09/21/98

Applicant(s): Leslie S. Johnson

Serial No:

Art Unit: Unassigned

Filed: September 21, 1998

Examiner: Unassigned

Title: Human-Murine Chimeric Antibodies Against Respiratory Syncytial Virus

Attorney

Docket No.: 469201-367

**TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

SIR:

Enclosed please find the following:

1. Request for Filing a Divisional Application;
2. Copy of prior application Serial No. 08/290,592 as filed;
3. Copy of executed Declaration and Power of Attorney;
4. Preliminary Amendment;
5. Corrected Figure 7;
6. Sequence Listing;
7. Computer Disk;
8. Check No. 27721 in the amount of \$872.00; and
9. A self-addressed, postage paid, return receipt postcard, date stamp and return of which is respectfully requested.

The Commissioner is authorized to charge payment of any additional filing fees required under 37 C.F.R. 1.16 associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

**EXPRESS MAIL CERTIFICATE**

Express Mail Label No. EM471209787US

Deposit Date: September 21, 1998

I hereby certify that this paper and the attachments hereto are being deposited today with the U.S. Postal Service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above addressed to:

**BOX CONTINUATION APPLICATION**

Assistant Commissioner for Patents

Washington, DC 20231

*Elliot M. Olstein*  
Elliot M. Olstein, Esq.

*9/21/98*  
Date

#1903 v1 - Transmittal Letter

Respectfully submitted,

*Elliot M. Olstein*

Elliot M. Olstein, Esq.

Reg. No. 24,025

CARELLA, BYRNE BAIN, GILFILLAN,  
CECCHI, STEWART & OLSTEIN

6 Becker Farm Road

Roseland, NJ 07068

Tel. No.: (973) 994-1700

Fax No.: (973) 994-1744

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#2/Pre-A  
CR  
11/02/98

Application of: Leslie S. Johnson  
Divisional of Serial No.: 08/290,592 Group: Unassigned  
Parent Filed: August 15, 1994 Examiner: Unassigned  
For: Human-Murine Chimeric Antibodies Against Respiratory Syncytial Virus  
Docket No.: 469201-367

Honorable Assistant Commissioner for Patents  
Box Continuation Application  
Washington, D.C. 20231

Sir:

This is a request for filing a:

         Continuation XX Divisional

Application under 37 CFR 1.53, of pending prior application

Serial No. 08/290,592 filed on August 15, 1994

of Leslie S. Johnson  
(Applicant)

for HUMAN-MURINE CHIMERIC ANTIBODIES AGAINST RESPIRATORY SYNCYTIAL VIRUS  
(Title)

1. X Enclosed is a copy of the prior application (28 pages of specification, four pages of claims, a one-page abstract, and 10 sheets of drawings) including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy.
2. X The filing fee is calculated below:

08/15/94 09:21:00

**CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT**

| For                        | Number<br>filed | Number<br>extra | Rate                     | Basic Fee              |
|----------------------------|-----------------|-----------------|--------------------------|------------------------|
|                            |                 |                 |                          | \$790.00               |
| Total Claims               | 10 - 20 =       | 0               | \$11.00 [ ]<br>22.00 [ ] |                        |
| Independent<br>Claims      | 4 - 3 =         | 1               | \$41.00 [ ]<br>82.00 [X] | \$82.00                |
| <b>TOTAL FILING FEE \$</b> |                 |                 |                          | <b><u>\$872.00</u></b> |

3. X The Commissioner is hereby authorized to charge the above fee and any fees which may be required, or to credit any overpayment to Deposit Account No. 03-0678. A duplicate copy of this sheet is enclosed.
4. X A check in the amount of \$872.00 is enclosed.
5. X Cancel in this application original claims 5, 8, 9, 11, 12, and 14-20 of the prior application before calculating the filing fee and insert new claims 21 and 22 from the preliminary amendment appended hereto.
6. X Amend the specification by inserting before the first line the sentence:  
\_\_\_\_\_  
This is a Divisional of Application Serial No. 08/290,592 filed August 15, 1994 which is a continuation-in-part of Application Serial No. 07/813,372, filed December 23, 1991, abandoned.
7. X Also appended are copies of the originally filed drawings (10 sheets, Figures 1-10) as filed with the prior application.
8. \_\_\_\_ New formal drawings as filed in the parent application are enclosed. Accordingly please delete the original and insert the enclosed formal drawings.
9. \_\_\_\_ The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.
10. X The prior application is assigned of record to:  
MedImmune, Inc., 35 West Watkins Mill Road, Gaithersburg, MD 20878.

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11. X The power of attorney in the prior application is to Elliot M. Olstein (Reg. No. 24,025) of Carella et al., 6 Becker Farm Road, Roseland, NJ 07068-1739.
- (a)      The Power appears in the original papers of the prior application.
- (b) X Since the Power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) X Address all future communication to:  
Elliot M. Olstein at the above address.
12.      A Preliminary Amendment will be filed at a later date.
13. X I hereby verify that the attached papers are a true copy of the prior application Serial No. 08/290,592 as originally filed on August 15, 1994.
14.      Verified Statement Claiming Small Entity is enclosed.

The undersigned declares further that any statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**EXPRESS MAIL CERTIFICATE**

**Express Mail Label No. EM471209787US**

**Deposit date: September 21, 1998**

**I hereby certify that this paper and the attachments hereto are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above addressed to:**

**Box Continuation Application  
Assistant Commissioner for Patents  
Washington, DC 20231**

Elliot M. Olstein 9/21/98  
**Elliot M. Olstein, Esq.                      Date**

Respectfully submitted,

*Elliot M. Olstein*

Elliot M. Olstein, Esq.  
Reg. No. 24,025  
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